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FILED US District Court-UT
JAN 11 '23 PM12:12

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RODNEY WAYNE AUSTIN,

Defendant.

INDICTMENT

VIOLATIONS:

Count I: 18 U.S.C. § 922(g)(1), Felon in
Possession of a Firearm and
Ammunition;

Count II: 21 U.S.C. § 841(a)(1),
Possession of Methamphetamine with
Intent to Distribute; and

Count III: 18 U.S.C. § 924(c)(1)(A),
Carrying a Firearm During and in
Relation to a Drug Trafficking Crime.

Case: 2:23-cr-00008
Assigned To : Parrish, Jill N.
Assign. Date : 1/10/2023

The Grand Jury charges:

COUNT I

18 U.S.C. § 922(g)(1)
(Felon in Possession of a Firearm and Ammunition)

On or about January 3, 2023, in the District of Utah,

RODNEY WAYNE AUSTIN,

the defendant herein, knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a Smith & Wesson M&P .45 caliber handgun and associated ammunition, which said firearm and ammunition were in and affecting interstate commerce; all in violation of 18 U.S.C. § 922(g)(1).

COUNT II

21 U.S.C. § 841(a)(1)

(Possession of Methamphetamine with Intent to Distribute)

On or about January 3, 2023, in the District of Utah,

RODNEY WAYNE AUSTIN,

defendant herein, did knowingly and intentionally possess with intent to distribute Methamphetamine, a Schedule II controlled substance within the meaning of 21 U.S.C. § 812, all in violation of 21 U.S.C. § 841(a)(1) and punishable pursuant to 21 U.S.C. § 841(b)(1)(C).

COUNT III

18 U.S.C. § 924(c)(1)(A)

(Carrying a Firearm During and in Relation to a Drug Trafficking Crime)

On or about January 3, 2023, in the District of Utah,

RODNEY WAYNE AUSTIN,

defendant herein, did knowingly carry a firearm during and in relation to the drug trafficking crimes alleged in Count II of this Indictment, in violation of 18 U.S.C. § 924(c)(1)(A).

NOTICE OF INTENT TO SEEK FORFEITURE

Pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), upon conviction of any offense alleged herein in violation of 18 U.S.C. § 922, the defendant shall forfeit to the United States of America any firearm or ammunition involved in or used in the commission of the offense, including, but not limited to:

- Smith & Wesson M&P .45 caliber semi-automatic pistol; and
- Any associated ammunition, magazines, or holsters.

A TRUE BILL:

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FOREPERSON OF THE GRAND JURY

TRINA A. HIGGINS
United States Attorney



MARK K. VINCENT
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